

Hon. Richard A. Jones

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

STATE OF WASHINGTON, *et al.*,

Plaintiff(s),

v.

UNITED STATES DEPARTMENT OF  
STATE, *et al.*,

Defendant(s).

CASE NO. 2:20-cv-00111-RAJ

ORDER REGARDING  
FRCP 26(f) CONFERENCE,  
INITIAL DISCLOSURES,  
AND JOINT STATUS REPORT

**I. INITIAL SCHEDULING DATES**

The Court sets the following initial case scheduling deadlines:

Deadline to Conduct FRCP 26(f) Conference: April 7, 2020

Deadline to Exchange Initial Disclosures  
Pursuant to FRCP 26(a)(1)

(Initial Disclosures are not to be filed): April 14, 2020

Deadline to File Combined Joint Status Report  
and Discovery Plan as Required by FRCP 26(f)  
and Local Civil Rule 26(f):

April 21, 2020

The deadlines above may be extended only by the Court. Any request for an extension of these deadlines should be made by email to Victoria Ericksen, Courtroom Deputy, at [victoria\\_ericksen@wawd.uscourts.gov](mailto:victoria_ericksen@wawd.uscourts.gov). The parties who have already appeared in this matter are required to meet and confer before contacting the Court to request an extension.

1 If this case involves claims which are exempt from the requirements of FRCP  
2 26(a) and 26(f), please notify Victoria Ericksen, Courtroom Deputy, at  
3 [victoria\\_ericksen@wawd.uscourts.gov](mailto:victoria_ericksen@wawd.uscourts.gov).

## 4 II. JUDGE-SPECIFIC PROCEDURAL INFORMATION

5 Counsel and pro se parties are directed to review Judge Jones' chambers  
6 procedures at <http://www.wawd.uscourts.gov/judges/jones-procedures>. **Counsel and pro**  
7 **se parties are expected to abide by the requirements set forth therein. Failure to do**  
8 **so may result in the imposition of sanctions.**

9 Links to Local Rules, Electronic Filing Procedures for Civil and Criminal Cases,  
10 court forms, instruction sheets, and General Orders, can be found on the Court's website  
11 at [www.wawd.uscourts.gov](http://www.wawd.uscourts.gov).

## 12 III. JOINT STATUS REPORT & DISCOVERY PLAN

13 All counsel and any pro se parties are directed to confer and provide the Court  
14 with a combined Joint Status Report and Discovery Plan (the "Report") by  
15 April 21, 2020. This conference shall be by direct and personal communication, whether  
16 that be a face-to-face meeting or a telephonic conference. The Report will be used in  
17 setting a schedule for the prompt completion of the case. It must contain the following  
18 information by corresponding paragraph numbers:

- 19 1. A statement of the nature and complexity of the case.
- 20 2. A proposed deadline for joining additional parties.
- 21 3. The parties have the right to consent to assignment of this case to a full  
22 time United States Magistrate Judge, pursuant to 28 U.S.C. §636(c) and Local Rule MJR  
23 13, to conduct all proceedings. The Western District of Washington assigns a wide range  
of cases to Magistrate Judges. The Magistrate Judges of this district thus have significant  
experience in all types of civil matters filed in our court. The parties should indicate  
whether they agree that the Honorable Michelle L. Peterson may conduct all proceedings  
including trial and the entry of judgment. When responding to this question, the parties  
should only respond "yes" or "no." Individual party responses should not be provided.

1 A "yes" response should be indicated only if all parties consent. Otherwise, a "no"  
2 response should be provided.

3 4. A discovery plan that states, by corresponding paragraph letters (A, B, etc.),  
4 the parties' views and proposals on all items set forth in Fed. R. Civ. P. 26(f)(3), which  
5 includes the following topics:

- 6 (A) the exchange of initial disclosures;
- 7 (B) subjects, timing, and potential phasing of discovery;
- 8 (C) electronically stored information;
- 9 (D) privilege issues;
- 10 (E) proposed limitations on discovery; and
- 11 (F) the need for any discovery related orders.

12 5. The parties' views, proposals, and agreements, by corresponding paragraph  
13 letters (A, B, etc.) on all items set forth in Local Civil Rule 26(f)(1), which includes the  
14 following topics:

- 15 (A) prompt case resolution;
- 16 (B) alternative dispute resolution;
- 17 (C) The existence of any related cases pending in this or other  
18 jurisdictions and a proposal for how to handle them;
- 19 (D) phasing of motions;
- 20 (E) preservation of discoverable information;
- 21 (F) Model Protocol for Discovery of ESI; and
- 22 (G) alternatives to Model Protocol.

23 6. The date by which discovery can be completed (**must be at least 120 days  
prior to the proposed trial date**).

7. Whether the case should be bifurcated by trying the liability issues before  
the damages issues, or bifurcated in any other way.

8. Whether the parties intend to utilize the Individualized Trial Program set  
forth in Local Civil Rule 39.2 or any ADR options set forth in Local Civil Rule 39.1.

1 9. Any other suggestions for shortening or simplifying the case.

2 10. The date the case will be ready for trial. The Court expects that most civil  
3 cases will be ready for trial within a year after filing the Joint Status Report and  
4 Discovery Plan.

5 11. Whether the trial will be jury or non-jury.

6 12. The number of trial days required.

7 13. The names, addresses, and telephone numbers of all trial counsel.

8 14. The dates on which trial counsel may have complications to be considered  
9 in setting a trial date.

10 15. The dates on which each and every non-governmental corporate party filed  
11 its corporate disclosure statement pursuant to FRCP 7.1 and LCR 7.1.

12 16. If, on the due date of the Report, all defendant(s) or respondent(s) have not  
13 been served, counsel for the plaintiff shall advise the Court when service will be effected,  
14 why it was not made earlier, and shall provide a proposed schedule for the required FRCP  
15 26(f) conference and FRCP 26(a) initial disclosures.

16 If the parties are unable to agree on any part of the Report, they may answer in  
17 separate paragraphs. No separate reports are to be filed.

#### 18 **IV. PRIVACY POLICY**

19 Pursuant to LCR 5.2(a), parties are to redact the following information from  
20 documents and exhibits before they are filed with the Court:

- 21 • Dates of Birth – redact to the year of birth, unless deceased.
- 22 • Names of Minor Children – redact to the initials, unless deceased or
- 23 currently over the age of 18.
- Social Security or Taxpayer ID Numbers – redact in their entirety.
- Financial Accounting Information – redact to the last four digits.
- Passport Numbers and Driver License Numbers – redact in their entirety.

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1 **V. PLAINTIFF'S RESPONSIBILITY**

2 This Order is issued at the outset of the case, and a copy is sent by the clerk to  
3 counsel for plaintiff (or plaintiff, if pro se) and any defendants who have appeared.  
4 Plaintiff's counsel (or plaintiff, if pro se) is directed to serve copies of this Order on all  
5 parties who appear after this Order is filed. Such service shall be accomplished within ten  
6 (10) after each appearance. Plaintiff's counsel (or plaintiff, if pro se) will be responsible  
7 for starting the communications needed to comply with this Order.

8 **VI. EARLY SETTLEMENT CONSIDERATION AND NOTIFICATION**

9 If settlement is achieved, counsel shall immediately notify Victoria Ericksen,  
10 Courtroom Deputy, at [victoria\\_ericksen@wawd.uscourts.gov](mailto:victoria_ericksen@wawd.uscourts.gov).

11 The parties are responsible for complying with the terms of this Order. The Court  
12 may impose sanctions on any party who fails to comply fully with this Order.

13 DATED: March 24, 2020.

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15 The Honorable Richard A. Jones  
16 United States District Judge  
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